

REMARKS

Claims 7-13 remain pending in the present application. Claims 9-12 have been withdrawn from consideration by the Examiner. Claims 7, 8 and 13 stand rejected. Claims 7 and 13 have been amended. Basis for the amendments can be found throughout the specification, drawings and claims as originally filed.

CLAIM REJECTIONS UNDER 35 U.S.C. §112

The Examiner has rejected Claims 7, 8 and 13 under 35 U.S.C. §112, second paragraph, alleging the claims to be indefinite for failing to particularly point out and distinctly claims the subject matter which Applicants regard as the invention. Applicants have amended Claims 7 and 13 and believe them to overcome the Examiner's §112 rejection and respectfully request withdrawal of the same.

CLAIM REJECTIONS UNDER 35 U.S.C. §101

The Examiner has rejected Claims 7, 8 and 13 under 35 U.S.C. §101 alleging that the claims are directed to two statutory classes. Applicants have amended Claims 7 and 13 and believe to have overcome the Examiner's §101 rejection and respectfully request withdrawal of the same.

CLAIM REJECTIONS UNDER 35 U.S.C. §102(b)

The Examiner has rejected Claims 7 and 13 under 35 U.S.C. §102(b) as being anticipated by Toda et al. (U.S. Patent Application Publication No. 2003/0072511). The Examiner alleges Toda et al. illustrates Applicants' claims. Additionally, the Examiner rejects Claims 7, 8 and 13 under 35 U.S.C. §102(b) as being anticipated by Miyazaki

et al. (U.S. Patent No. 6,280,096). The Examiner alleges Miyazaki et al. illustrates Applicants' claim.

Independent Claims 7 and 13 have been amended. Independent Claim 7 defines a bearing apparatus. The bearing apparatus includes, among other elements, an inner ring on the cylindrical portion of the wheel hub. A caulked portion at the end of the cylindrical portion of the wheel hub abuts against the end surface of the inner ring securing the inner ring in an axial direction relative to the wheel hub. A chamfered surface is positioned between the end surface, the outer circumferential surface of the back side of the inner ring. The chamfered surface is recut after heat treatment forming an inclined chamfered surface on an obtuse angle between the end surface and the outer circumferential surface. The chamfered surface reduces stress concentrations due to an elimination of gouges on the chamfered surface and prevents the generation of cracks that would form at the starting point of the gouges.

The Toda et al. reference cited by the Examiner fails to illustrate Applicants' chamfered recut surface. Toda et al. fails to illustrate the chamfered surface inclined on an obtuse angle between the end surface and the outer circumferential surface. Accordingly, Applicants believe Claim 7 to be patentably distinct over the Toda et al. reference.

The Miyazaki et al. reference cited by the Examiner fails to illustrate the recut chamfered surface. Additionally, Miyazaki et al. fails to illustrate the chamfered surface inclined on an obtuse angle between the end surface and the outer circumferential surface. Accordingly, Applicants believe Claim 7 to be patentably distinct over the art cited by the Examiner.

Claim 13 has been amended to be patterned after Claim 7. Accordingly, the above remarks with respect to Claim 7 equally apply to Claim 13. Accordingly, Applicants believe Claim 13 to be patentably distinct over Toda et al. and Miyazaki et al.

Accordingly, Applicants believe Claims 7, 8 and 13 to be patentably distinct over both the Toda et al. and Miyazaki et al. references.

CLAIM REJECTIONS UNDER 35 U.S.C. §103(a)

The Examiner has rejected Claims 7 and 13 under 35 U.S.C. §103(a) as being unpatentable over the Toda et al. in view of Nonaka (U.S. Patent No. 6,840,722). The Examiner alleges that the combination would render Applicants claims obvious to those skilled in the art. Additionally, the Examiner has rejected Claims 7, 8 and 13 under 35 U.S.C. 103(a) as being unpatentable over Miyazaki et al. in view of Nonaka.

Claims 7 and 13 have been amended as explained above. The Examiner's combination fails to illustrate the claimed chamfered surface. The combination fails to illustrate the recut chamfered surface forming an inclined chamfered surface on an obtuse angle between the end surface and the outer circumferential surface. Thus, Applicants believe Claims 7 and 13 to be patentably distinct over the Toda et al. and Nonaka combination as well as the Miyazaki et al. and Nonaka combination. Thus, Applicants believe Claims 7, 8 and 13 to be patentably distinct over the Examiner's cited references.

In light of the above amendments and remarks, Applicants submit that all pending claims are in condition for allowance. Accordingly, Applicants respectfully request the Examiner to pass the case to issue at his earliest possible convenience.

Should the Examiner have any questions regarding the present application, he should not hesitate to contact the undersigned at (248) 641-1600.

Respectfully submitted,

By:


W. R. Duke Taylor
Reg. No. 31,306
Attorney for Applicants

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

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